IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.1385 OF 2005

Mr.Jayantilal L.Shah .. Petitioner.
Vs.
State of Maharashtra
G.B. C.B.C.I.D.EOW, Mumbai
and Others .. Respondents.

Mr.S.R.Chitnis for the petitioner.
Mr.A.S.Gadkari A.P.P. for respondent no.1-State.
Mr.R.A.Thorat for respondent no.2.

CORAM : SMT.RANJANA DESAI &
D.B.BHOSALE, JJ.

DATE : 28TH MARCH, 2007.

P.C.:

. We heard Mr.Chitnis, learned senior counsel for the petitioner, Mr.Thorat, learned counsel for respondent no.2 and Mr.Gadkari, learned A.P.P. for the State.

2. The learned A.P.P. states that the investigation is in progress. The police is directed to carry out investigation as expeditiously as possible. The police shall give 72 hours notice to the petitioner in case they decide to arrest him. In the circumstances of the case we are of the opinion that since the investigation is going on and one accused is absconding, the petition cannot be

entertained hence the petition is dismissed. We, however, make it clear that all the contentions raised in the petition as well as contentions of the respondents are kept open. The writ petition is disposed of.

(SMT.RANJANA DESAI, J.)

(D.B.BHOSALE, J.)